

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROYAL INDEMNITY COMPANY,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-165-JJF
)	
PEPPER HAMILTON LLP, W. RODERICK)	
GAGNE', FREED MAXICK & BATTAGLIA)	
CPAs, McGLADREY & PULLEN LLP, and)	
MICHAEL AQUINO,)	
)	
Defendants)	
)	
CHARLES A. STANZIALE, JR.,)	
Chapter 7 Trustee of Student Finance)	
Corporation,)	
Plaintiff,)	
)	C.A. No. 05-72-JJF
v.)	
)	
McGLADREY & PULLEN LLP and)	
MICHAEL AQUINO,)	
)	
Defendants)	
)	
CHARLES A. STANZIALE, JR.,)	
Chapter 7 Trustee of Student Finance)	
Corporation,)	
Plaintiff,)	
)	C.A. No. 04-1551-JJF
v.)	
)	
PEPPER HAMILTON LLP, et al.,)	
)	
Defendants.)	
)	
MBIA INSURANCE CORPORATION and)	
WELLS FARGO BANK, N.A. (f/k/a WELLS)	
FARGO BANK MINNESOTA N.A.) as)	
TRUSTEE OF SFC GRANTOR TRUST,)	
SERIES 2000-1, SFC GRANTOR TRUST,)	

SERIES 2000-2, SFC GRANTOR TRUST,)
SERIES 2000-3, SFC GRANTOR TRUST,) C.A. No. 02-1294-JJF
SERIES 2000-4, SFC GRANTOR TRUST,)
SERIES 2001-1, SFC GRANTOR TRUST,)
SERIES 2001-2, SFC OWNER TRUST 2001-I,)
AND SFC GRANTOR TRUST, SERIES 2001-3,)
)
Plaintiffs/Counterclaim Defendants,)
)
v.)
)
ROYAL INDEMNITY COMPANY,)
)
Defendant/Counterclaim Plaintiff.)
_____)

MOTION TO COMPEL DEPOSITION OF JOHN P. GARVEY¹

Wells Fargo Bank N.A. as Trustee for Certain SFC Grantor and Owner Trusts (“Wells Fargo”), hereby moves, pursuant to Federal Rule of Civil Procedure 37, for an order compelling the deposition of John P. Garvey, one of the experts of Royal Indemnity Company. The grounds for this motion are as set forth in Pepper Hamilton LLP’s Motion to Compel the Deposition of John P. Garvey (D.I. 323 in C.A. No. 04-1551) (D.I. 561 in C.A. No. 05-165) and Memorandum in support thereof (D.I. 324 in C. A. No. 04-1551) (D.I. 562 in C.A. 05-165).

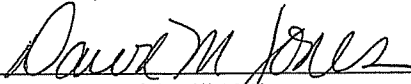
¹ In accordance with Local Rule 7.1.1, Wells Fargo relies on the statements at pages 1-3 of Memorandum of Pepper Hamilton LLP in Support of its Motion to Compel (D.I. 324 in C. A. No. 04-1551) (D.I. 562 in C.A. 05-165) the deposition of John P. Garvey in averring that a reasonable effort has been made to reach agreement with opposing parties regarding Mr. Garvey’s appearance for a deposition.

YOUNG CONAWAY STARGATT &
TAYLOR, LLP

Of Counsel:

Ronald S. Rauchberg
Steven E. Obus
André G. Castaybert
David T. McTaggart
PROSKAUER ROSE LLP
1585 Broadway
New York, NY 10036
(212) 969-3000

Dated: September 7, 2007


David C. McBride (#408)
John W. Shaw (#3362)
Dawn M. Jones (#4270)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19899
(302) 571-6600

*Attorneys for Wells Fargo Bank N.A. as
Trustee for Certain SFC Grantor and Owner
Trusts*

CERTIFICATE OF SERVICE

I, Dawn M. Jones, Esquire, hereby certify that on September 7, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Phillip Trainer, Jr., Esquire
Tiffany Geyer Lydon, Esquire
Ashby & Geddes
222 Delaware Avenue, 17th Floor
P.O. Box 1150
Wilmington, DE 19801
Email: ptrainer@ashby-geddes.com
Email: tlydon@ashby-geddes.com

William H. Sudell, Jr., Esquire
Daniel B. Butz, Esquire
Morris Nichols Arsht & Tunnell
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
Email: wsudell@mnat.com
Email: dbutz@mnat.com

Anthony Saccullo, Esquire
Daniel K. Astin, Esquire
Ashley B. Stitzer, Esquire
The Bayard Firm
222 Delaware Avenue, Suite 900
P.O. Box 25130
Wilmington, DE 19899
Email: asaccullo@bayardfirm.com
Email: dastin@bayardfirm.com
Email: astitzer@bayardfirm.com

Christopher M. Winter, Esquire
Michael R. Lastkowski, Esquire
Duane Morris, LLP
1100 North Market Street
Suite 1200
Wilmington, DE 19801
Email: cmwinter@duanemorris.com
Email: mlastkowski@duanemorris.com

Karen Lee Turner, Esquire
Susan E. Poppiti, Esquire
Eckert Seamans Cherin & Mellott, LLC
300 Delaware Avenue, Suite 1360
Wilmington, DE 19801
Email: kturner@eckertseamans.com
Email: spoppiti@eckertseamans.com

I further certify that on September 7, 2007, I caused copies of the foregoing document to be served by e-mail on the above listed counsel of record and on the following non-registered participants in the manner indicated below:

BY E-MAIL

Stephen J. Shapiro, Esquire
Schnader Harrison Segal & Lewis LLP
1600 Market Street, Suite 2600
Philadelphia, PA 19103
Email: sshapiro@schnader.com

Michael S. Waters, Esquire
McElroy, Deutsch, Mulvaney & Carpenter, LLP
Three Gateway Center
100 Mulberry Street
Newark, NJ 07102
Email: mwaters@mdmc-law.com

Neil G. Epstein, Esquire
Eckert Seamans Cherin & Mellott, LLC
50 South 16th Street
22nd Floor
Philadelphia, PA 19102-1909
Email: nepstein@eckertseamans.com

Veronica E. Rendon, Esquire
Arnold & Porter LLP
399 Park Avenue
New York, NY 10022
Email: veronica_rendon@aporter.com

Steven M. Farina, Esquire
Williams & Connolly LLP
725 12th Street, N.W.
Washington, D.C. 20005
Email: tselby@wc.com

BY U.S. MAIL

Student Loan Servicing LLC
1405 Foulk Road, Suite 102
Wilmington, DE 19803-2769

Michael Barr, Esquire
Kenneth J. Pfahler, Esquire
Hector Garcia-Santana, Esquire
Sonnenschein Nath & Rosenthal LLP
1221 Avenue of the Americas
New York, NY 10020-1089
Email: mbarr@sonnenschein.com
Email: kpfaehler@sonnenschein.com
Email: hgarcia@sonnenschein.com

Charles A. Stanziale, Esquire
Schwartz Tobia & Stanziale, P.A.
22 Crestmont Road
Montclair, NJ 07042
Email: cstanziale@mdmc-law.com

John H. Eickemeyer, Esquire
Vedder Price Kaufman & Kammholz, P.C.
805 Third Avenue
New York, NY 10022
Email: jeickemeyer@vedderprice.com

Andrew N. Yao
107 Leighton Drive
Bryn Mawr, PA 19010

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Dawn M. Jones (No. 4270)

John W. Shaw (No. 3362)
Dawn M. Jones (No. 4270)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801
302-571-6600
djones@ycst.com

*Attorneys for Counterclaim Defendant
Wells Fargo Bank, N.A.*